IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4911 of 2005

Yeshwant Pandurang Keer ..Applicant

V/s

State of Maharashtra through

Goregaon Police Station) ..Respondents

Shri O.R.Tiwari for Applicant

Mr.R.Y.Mirza,A.P.P. for State

CORAM:A.S.OKA,J.

DATED:19th August 2005

P.C.:-

1. Heard Advocate for the applicant and learned A.P.P. for State.

2. Advocate for the applicant submitted that co-accused Dinesh has been enlarged on bail by order of the Sessions Court. He submitted that role played by the present applicant is not different from the role played by co-accused Dinesh and therefore the applicant is entitled to be enlarged on bail. He submitted that there is no direct

evidence available against the applicant showing the involvement in the offence.

3. The learned A.P.P. submitted that the applicant was suspecting that his wife was having illicit relationship with deceased Sunil Surve. He pointed out that recovery of body of Sunil Surve is at the instance of the applicant. He submitted that applicant is, therefore, not entitled to
claim parity. He stated that trial is already assigned to a Fast Track Court.

4. I have considered the submissions. The Applicant cannot
claim parity. Moreover, the recovery of dead body of the victim is stated to be at the instance of the applicant. There is enough prima facie material on record to show involvement of the applicant in the offence.

5. Trial has already been entrusted to the Fast Track Court and therefore the trial can be concluded expeditiously.

6. Application is rejected. The trial is expedited.

(A.S.OKA,J.)